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Counsel for U.S. Bank National Association

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re

U.S. MORTGAGE, a Nevada corporation,
Debtor.

Case No. BK-06-13977-MKN
Chapter 7

**MOTION TO WITHDRAW MONEY
UNDER 28 U.S.C. SECTION 2042**

Hearing Date/Time: TBD

There was a dividend check in the amount of \$65,098.88 in the above-named case issued to Capital One Bank, fdba North Fork Bank, c/o Chevy Chase Mortgage. Said check having not been cashed by said payee, the Trustee, pursuant to 11 U.S.C. Section 347(a), delivered the unclaimed money to the Clerk, US Bankruptcy Court.

PLEASE CHECK THE PARAGRAPH THAT APPLIES:

☐ Claimant is the creditor or debtor in whose behalf these moneys were deposited and is entitled to the moneys deposited.

☒ Claimant is not the creditor but is entitled to payment of these moneys because (**Please state the basis for your claim to the moneys**): Claimant, U.S. Bank National Association is a secured creditor of the Debtor holding a security interest in those moneys, as previously determined by the Bankruptcy Court herein.

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1 Please attach copies of any supporting documentation.¹

2 See Final Order Granting U.S. Bank's Motion For Relief From Stay [Dkt 891], attached
3 hereto as Exhibit "A."

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5 Date: October 28 2011

LEWIS AND ROCA LLP

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7 By: Laury M. Macauley

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27 ¹ (i) If claimant is heir of deceased creditor, attach copies of death certificate and heirship order of court.
28 (ii) If claimant is assignee of creditor, attach copy of assignment.
(iii) If claimant is corporate successor of creditor, attach copies of all documents demonstrating such status.
(iv) If claimant is agent of creditor for purposes of filing this application, attach a copy of the agency agreement.
(v) Attach other documents showing entitlement should none of the foregoing apply.